

POSZ & BETHARDS, PLC

ATTORNEYS AT LAW

11260 ROGER BACON DRIVE, SUITE 10
RESTON, VA 20190DAVID G. POSZ
CHARLES W. BETHARDS *
JAMES E. BARLOW *
BRIAN C. ALTMILLER
ROBERT L. SCOTT, II

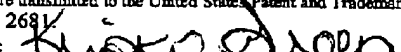
SPECIALIZING IN PATENTS, TRADEMARKS & COPYRIGHTS

TEL: (703) 707-9110
FAX: (703) 707-9112
www.poszlaw.comR. LOUIS BREEDEN+
CARLETON C. ROBINSON++
KAY H. HILL++
+ SENIOR PATENT AGENT
++ TECHNICAL SPECIALIST

TERESA M. ARROYO *

* NOT ADMITTED IN VIRGINIA
PRACTICE LIMITED TO FEDERAL PATENT, TRADEMARK, AND
COPYRIGHT MATTERS
OF COUNSEL**FACSIMILE TRANSMISSION****RECEIVED**
CENTRAL FAX CENTER
JAN 13 2005**Date:** 1/13/2005**Pages:** 32 with cover**To:** Examiner**From:** Charles W. Bethards**Company:** USPTO, Art Unit 2681**Fax No.:** 703-872-9306**Subject:** Supp Information Disclosure Statement: App. Serial No. 10/675,739
(Atty. Dkt. CE10514R/10-180)**Comments:**Appl. No.: 10/675,739
Applicants: Qazi, et al.
Filed: September 30, 2003
TC/A.U.: 2681
Examiner:
Docket No.: CE10514R/10-180
Customer No.: 23400
For: METHOD AND APPARATUS TO
PREVENTING A SPURIOUS
RETRANSMISSION AFTER A PLANNED
INTERRUPTION OF COMMUNICATIONS

Confirmation No.

CERTIFICATE OF FACSIMILE TRANSMISSIONI hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306
on January 13, 2005 to the attention of Art Unit 2681
Typed Name: Kristi Green Signature: 

The information contained in this facsimile transmission is intended only for the above-indicated addressee, and may contain privileged and confidential attorney work product or trade secret information. Any dissemination, distribution or copying of any part of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender, and return the transmission to the sender at the above-indicated address.

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/675,739
Applicants: Qazi, et al.
Filed: September 30, 2003
TC/A.C.: 2681
Examiner:
Docket No.: CE10514R/10-180
Customer No.: 23400

Confirmation No.

RECEIVED
CENTRAL FAX CENTER
JAN 13 2005

For: METHOD AND APPARATUS FOR PREVENTING A SPURIOUS
RETRANSMISSION AFTER A PLANNED INTERRUPTION OF
COMMUNICATIONS

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306 on January 13, 2005 to the attention of Art Unit 2681.

Typed Name: Kristi Green

Signature: **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner For Patents
P O Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are being submitted herewith for consideration by the United States Patent and Trademark Office.

I. COPIES

- a. ☒ A legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed, is included herewith.
- b. ☐ Any patents, publications or other information which are listed on PTO/SB/08 which are not enclosed herewith were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. §120:

U.S. Serial NumberU.S. Filing Date

II. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- a. ☒ Except as may be indicated below in (b) of this section, all of the patents, publications or other information are in the English language (concise explanation not required).
- b. ☐ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. ☐ The following additional information is provided for the Examiner's consideration:

III. ☐ CROSS REFERENCE TO RELATED APPLICATION(S)

The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this (these) applications to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. §122.

Serial No.Filing DateArt UnitFEESIV. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b): (check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. §1.97(b)(1)). No fee or statement is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. §1.97(b)(2)). No fee or statement is required.
- c. ☒ before the mailing date of a first Office Action on the merits (37 C.F.R. §1.97(b)(3)). No fee or statement is required.
- d. ☐ In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. §1.97(c) and see the statement under 37 C.F.R. §1.97(e) provided below, or if no statement has been made, charge deposit account 50-1147 the fee set forth in 37 C.F.R. §1.17(p).

V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(c): (check one box)

before the mailing date of either a Final Office Action under 37 C.F.R. §1.113 (See 37 C.F.R. §1.97(c)), or a Notice of Allowance under 37 C.F.R. §1.311 (See 37 C.F.R. §1.97(c)).

- a. ☐ No statement; therefore, charge deposit account 50-1147 the fee set forth in 37 C.F.R. §1.17(p).
- b. ☐ See the statement below. No fee is required.

VI. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(d):

on or before payment of the issue fee and is accompanied by the following:

- 1) a statement under 37 C.F.R. §1.97(e) as provided below;
- 2) Applicant(s) hereby a petition for consideration of this information disclosure statement; and
- 3) charge deposit account 50-1147 the petition fee set forth in §1.17(i).

VII. Statement under 37 C.F.R. §1.97(e) (check only one box, if applicable)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was cited in a communication from a foreign Patent Office is a counterpart foreign application not more than three months prior to the filing of IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or
- c. ☐ some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

VIII. PAYMENT OF FEES

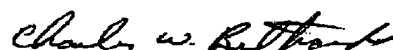
- ☐ A check in the amount of _____ is enclosed for the above-identified fee(s).
- ☐ Please charge Deposit Account No. 50-1147 in the amount of \$ _____ for the above-indicated fee(s).
- ☒ If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 50-1147.

Each item of information contained in the IDS was cited in a communication from a foreign Patent Office (PCT International Search Report enclosed) in a counterpart foreign application.

The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 50-1147.

Respectfully submitted,


Charles W. Bethards
Reg. No. 36,453

Posz & Bethards, PLC
11250 Roger Bacon Drive
Suite 10
Reston, VA 20190
Phone (703) 707-9110
Fax (703) 707-9112
Customer No. 23400

PATENT COOPERATION TREATY

PCT

RECEIVED
CENTRAL FAX CENTER

JAN 13 2005

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference CE10514R	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, Item 5 below.	
International application No. PCT/US2004/026331	International filing date (day/month/year) 12/08/2004	(Earliest) Priority Date (day/month/year) 30/09/2003
Applicant MOTOROLA, INC.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box II).

3. ☐ Unity of invention is lacking (see Box III).

4. With regard to the title,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

METHOD AND APPARATUS FOR PREVENTING SPURIOUS RETRANSMISSIONS AFTER A PLANNED INTERRUPTION OF COMMUNICATION

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 3

☒ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

Form PCT/ISA/210 (first sheet) (January 2004)

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US2004/026331

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04L1/18

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 H04L H04Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, INSPEC, COMPENDEX

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>EP 1 263 176 A (ERICSSON TELEFON AB L M) 4 December 2002 (2002-12-04) column 7, paragraph 32 column 7, paragraph 38 - column 8, paragraph 41 column 8, paragraph 43 - paragraph 44 column 9, line 46 - line 48 column 19, line 49 - column 13, line 40</p> <p style="text-align: center;">-/-</p>	1,3,5,6, 8,10

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document relating to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *A* document member of the same patent family

Date of the actual completion of the international search

1 December 2004

Date of mailing of the international search report

08/12/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5618 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Papantoniou, A

Form PCT/ISA/210 (second sheet) (January 2004)

page 1 of 2

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US2004/026331

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/150048 A1 (HAN SUNG-WOOK ET AL) 17 October 2002 (2002-10-17) page 1, right-hand column, paragraph 8 - page 2, left-hand column, paragraph 8 page 9, right-hand column, paragraph 77 - page 10, left-hand column, paragraph 78 page 10, left-hand column, paragraph 80 - paragraph 85 page 8, left-hand column, paragraph 65 - right-hand column, paragraph 69	1,5,6,8, 10
A	MOHAMED Y ET AL: "Performance of TCP on mobile IP network during handoffs" 2002 STUDENT CONFERENCE ON RESEARCH AND DEVELOPMENT, 16 July 2002 (2002-07-16), pages 390-393, XP010603554 the whole document	1,6,8,10

Form PCT/ISA/210 (continuation of second sheet) (January 2004)

page 2 of 2

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US2004/026331

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 1263176	A	04-12-2002	EP 1142226 A1	10-10-2001
			EP 1018821 A1	12-07-2000
			EP 1263176 A2	04-12-2002
			EP 1195966 A2	10-04-2002
			AT 281036 T	15-11-2004
			AT 281728 T	15-11-2004
			AT 272281 T	15-08-2004
			AU 766137 B2	09-10-2003
			AU 2104300 A	24-07-2000
			CA 2358396 A1	13-07-2000
			CN 1333965 T	30-01-2002
			DE 69919027 D1	02-09-2004
			WO 0041362 A1	13-07-2000
			JP 2002534907 T	15-10-2002
			NO 20013361 A	06-09-2001
US 2002150048	A1	17-10-2002	EP 1393508 A2	03-03-2004
			WO 02084960 A2	24-10-2002
			WO 02096021 A2	28-11-2002
			US 2003063564 A1	03-04-2003

Form PCT/ISA/210 (patent family annex) (January 2004)

sz & Bethards,
RECEIVED
CENTRAL FAX CENTER

JAN 13 2005

PTO/SB/D8A (D8-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/675,739
Filing Date	September 30, 2003
First Named Inventor	Qazi, et al.
Art Unit	2681
Examiner Name	
Attorney Docket Number	CE10514R/10-180

[illegible][illegible]

Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinda Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of Information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/088 (08-03)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

2

Complete if Known

Application Number	10/675,739
Filing Date	September 30, 2003
First Named Inventor	Qazi, et al.
Art Unit	2681
Examiner Name	
Attorney Docket Number	CE10514R/10-180

RECEIVED
CENTRAL FAX CENTER
JAN 13 2005
NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AC	YAZID MOHAMED, et al. Performance of TCP on Mobile IP Network During Handoffs"; pages 390-393; 2002 Student Conf. on Research and Development Proceedings	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.